IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8679 OF 2005

Venkatesh R. Gatlawar ...Petitioner
Versus
1. Smt.Anusayabai R.Gatlawar
(deceased)
2. Sou Shalini A.Roy and ors. ...Respondents

Shri Vilas B.Tapkir for the petitioner.
Shri Sanjay D.Rayrikar for Respondent No.3.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 16th JANUARY, 2006.

P.C.

1. Heard Shri Tapkir for the petitioner. After perusing the order with his assistance, in my view, prima-facie, conclusion of the trial Court that an application of the nature made by the petitioner is not maintainable, does not require any interference under Article 227 of the Constitution of India. Needless to state that it would be always open for the petitioner to cross-examine the deponent of the affidavit and that right has not been in any way interfered with or taken away by the order impugned in this petition.

(S.C.DHARMADHIKARI, J)